

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

UNITED STATES OF AMERICA

v.

CASE NO.: 2:21-cr-35-SPC-NPM

LESTER LEON SMITH

ORDER

Under the Court's Administrative Order, Case No. 8:20-mc-25 ([Doc. 1](#)), which implements the Coronavirus Aid, Relief, and Economic Security Act ("CARES"), the Court may conduct the sentencing hearing by video conferencing with Defendant **LESTER LEON SMITH'S** consent after he confers with counsel.

Accordingly, it is

ORDERED:

(1) On or before **September 17, 2021** at **NOON**, counsel for Defendant **LESTER LEON SMITH** must file a written notice advising the Court:

- a. whether Defendant, after consulting with defense counsel, consents to proceed with the sentencing hearing by video conferencing and by telephone if video is not reasonably available;

b. why delaying the sentencing will result in serious harm to the interests of justice; and

c. the Government's position on a videoconference sentencing hearing.

(2) If Defendant's counsel advises that Defendant consents to proceed with the hearing by video conferencing, the Clerk is **DIRECTED** to notice the hearing and provide all hearing participants with instructions for joining the hearing.

(3) The Court will address the specific findings required by the CARES Act at the video conference sentencing hearing.

DONE AND ORDERED in Fort Myers, Florida on September 8, 2021.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All counsel of record